

**Sexual Assault Kit Initiative (SAKI)
Multi-Disciplinary Group Meeting
January 5, 2017
Legislative Hall**

Attendees:

Josette Manning – Department of Justice (Chair)
Barry Mullins – Wilmington PD
Mike Kelly – Criminal Justice Council
Matthew Rosen – Criminal Justice Council
Scott McLaren – Criminal Justice Council
Christian Kervick – Criminal Justice Council
Lauren Vella – House of Representatives
Kiki Evinger – House of Representatives
Meredith Seitz – House of Representatives
Amrita Lal-Paterson – Division of Forensic Science
Cheri Will – Beebe Healthcare
Stephanie Hamilton – Wilmington PD
Elizabeth McCourt – YWCA of Delaware
Chad Bernat – Dover PD
Jamie Armstrong – Division of Forensic Science
Deb Reed – Delaware State Police Victim Services
Jackie Cousin – Contact LifeLine
Maureen Monagle – Criminal Justice Council
Joseph Bloch – New Castle County PD
Robert Hudson – Delaware State Police
Anita Symonds – Christiana Care
Kevin Strom – RTI International
Samuel Capogrossi – International Association of Chiefs of Police
John Wilkinson – Aequitas
Paige Presler-Jur – RTI International

The meeting commenced at 1:20 pm.

Jamie Armstrong, of the Division of Forensic Science recommended a correction to the minutes for the October 2016 meeting. The minutes for that meeting say that Ms. Armstrong “commented that if there is a known consensual partner and there is a chance that the profile might be included [in CODIS], there should be a reference sample collected from that partner so that his profile would not be incorrectly entered into CODIS. “ Rather, if there is a known consensual partner, there should be a reference from that consensual partner in writing so that CODIS does not create a profile for them.

The minutes for the October 13, 2016 meeting were approved, with the above-mentioned correction.

Kevin Strom, of RTI International, advised that he performed a site visit in Delaware a several months ago. He is here to find out more about Delaware's SAKI inventory and how RTI can support Delaware with its next steps.

Mr. Strom explained that RTI has an extensive team and operates on a national level. It has a forensic laboratory, law enforcement research expertise, and law enforcement consultants through its partners. Many of the law enforcement experts have expertise with cold cases and sexual assault cases.

For the FY2015 SAKI grant, there are 20 sites. 7 of those sites, including Delaware, are state-level jurisdictions. In FY2016, there will be another 12 SAKI sites. RTI is working to tackle a number of issues with both state and local sites. RTI is working with Delaware to create a development plan. RTI has core foundational trainings that every site should have, as well as optional trainings that might apply to specific sites. RTI can also facilitate communication between sites and agencies to share strategies and experience.

John Wilkinson, of Aequitas, advised that Aequitas is a resource for prosecutors. So, it is consulting with prosecutors on handling violence against women cases. Aequitas does research for them and provides pre-made motions and briefs. For sexual violence, Aequitas focuses on difficult sexual assault cases, such as alcohol and drug associated sexual assault, which can be difficult to prosecute and explain to juries. In such cases, Aequitas can often provide experts who can speak to the issues in the case in court. Aequitas also shares strategies for obtaining information in drug and alcohol related cases. Aequitas focuses on cold cases, and examines statutes of limitations. Sometimes, there are ways of getting around the statutes of limitations- e.g. if the defendant left the state. Aequitas also has experience dealing with chain of custody issues with evidence. Aequitas provides training with all these issues, as well as online resources.

Samuel Capogrossi, of the International Association of Chiefs of Police (IACP), explained that IACP is an international organization with 27,000 members. IACP is creating a supervisory training with Aequitas. So, if an agency changes supervisors, this would be an appropriate training to bring the new supervisors on board with handling sexual assault cases, especially cold cases. IACP will likely to be offering 15 scholarships.

Mr. Strom added that RTI is also working with sites to build capacity, create cultural change, and prevent kits from piling up again. RTI has a welcome packet for the FY2016 sites which provides useful information. Mr. Strom stated that he will share the packet with the Multi-Disciplinary Group members. RTI can also help sites to develop an effective case tracking system. RTI can also assist with media engagement. Some sites have not had great relationships with the media, but RTI has helped them develop media strategies.

Paige Presler-Jur, of RTI International, introduced herself as the site liaison. She explained that she will be interacting with the Delaware SAKI site to make sure its needs are met, and that a training development plan is put in place.

Mike Kelly, of the Criminal Justice Council, advised that all 3 subcommittees have been established – Victim Services, Sexual Assault Nurse Examiners (SANE), and Law Enforcement.

Mr. Kelly added that the kit inventory has been completed. There are a total of 891 untested kits. They are from 24 agencies, out of 48 total agencies in the state. The remaining 24 agencies did not report any untested sexual assault kits. The inventory list has been sent to the Bureau of Justice Assistance. Once they approve the list, we can start sending kits to Bode.

Amrita Lal-Paterson, of the Division of Forensic Science, asked, is there any other evidence in the kits? If so, how would that be handled?

Mr. Kelly responded that if there is extra evidence, it will be sent to the state afterward for further analysis.

Lieutenant Joseph Bloch, of the New Castle County Police, reported on the meeting of the Law Enforcement subcommittee on behalf of Teresa Williams, the Chair of the subcommittee. Lieutenant Bloch advised that he was not at the meeting, but the committee agreed that we should test all kits if possible- though the subcommittee established criteria to determine which to prioritize. Also, we want to look at how to eliminate a backlog in the future. The subcommittee will be meeting again in a month or two.

Deb Reed, of the Delaware State Police, and **Stephanie Hamilton**, of the Wilmington PD, advised that they will serve as Co-Chairs of the Victim Services subcommittee. They stated that they made a list of prospective subcommittee members, comprising people on the front lines of sexual assault in both government agencies and non-profits. They will be reaching out to these individuals and recruiting them to participate in the subcommittee. The first goal will be to bring subcommittee members up to speed on the SAKI project and help them understand what it is, and what the goals are. They advised that they want to come up with a training plan shortly. And in February, they plan to examine policies and procedures for victim notification. Furthermore, they plan to reach out to service providers to discuss crisis intervention services for victims connected to the SAKI cases. The subcommittee's next meeting will take place on January 17 at Middletown PD.

Anita Symonds, of Christiana Care, reported on the SANE subcommittee, which met earlier in the week. She noted that the subcommittee involves the coordinators of all the SANE programs in Delaware. None of the SANE programs has a kit in its facility that needs to be tested. Some of the locations have kits, but the kits are for victims who requested not to have law enforcement involved. The facilities have varying policies on how long to hold kits. The subcommittee will work on developing a uniform standard. The subcommittee will also work to ensure that an equal level of services is being offered in all facilities. Ms.

Symonds noted that there are some slight differences in the services provided by different facilities, but the basic components are fairly similar. Ms. Symonds also noted that until now, some hospitals have relied on nurses to volunteer their time for SANE examinations, but that will probably stop soon because it is a strain on the nurses. So, the state will have to look at that and figure out how to fund SANE services. It could be a big problem in the future.

Old Business:

Ms. Lal-Paterson asked, are any kits being sent to FBI?

Mr. Kelly responded, there are some kits being sent to the FBI that are not in our inventory. The 891 kits do not include kits that were sent to the FBI. Often, the decision of whether to send kits to the FBI is related to the number of swabs in the kit.

Mr. Wilkinson added that the FBI only accepts a small number of kits at a time.

Mr. Strom further remarked that the FBI indicated that they will be ramping down that program.

New Business:

Josette Manning, of the Department of Justice and Chair of the SAKI Multi-Disciplinary Group, mentioned that it was previously suggested that we form a committee on training. She asked, is that something we should now consider?

Mr. Strom responded that most other sites do not have training committees. Also, trainings do not necessarily need to be statewide. They are often tailored to specific agencies.

Ms. Manning remarked that perhaps each committee should therefore think about what training is needed, and bring those ideas back to the next group meeting.

Christian Kervick, of the Criminal Justice Council, asked for further explanation of what will be included in the developmental plan.

Mr. Wilkinson responded that once the kits are submitted for testing, there will be a mix of results, and many will need follow-ups. So, the group needs a strategy for making investigative choices, notifying victims, and approaching prosecution. And that should be a collaborative effort. There needs to be discussions about what steps to take in different types of situations that arise based on the results. The group needs to determine which cases are the top priorities. The group also needs to determine which cases to devote the most resources to.

Mr. Strom remarked that making a victim notification protocol could be a good first step. CODIS hit follow-up is another important matter to think about up front. These subjects can be packaged into a statewide training that can appeal to a variety of agencies.

Mr. Wilkinson added that even if a kit does not get a CODIS hit, it might still be worthwhile to look through the case and re-examine it. There might be additional evidence in the case that has not been examined. Often, these cold cases were not investigated because of snap judgments that may not always have been prudent. So, the lack of a CODIS hit should not necessarily be the end of looking into that case.

Major Robert Hudson, of the Delaware State Police, asked, how would it be possible to get the law enforcement agencies to reinvestigate the cases?

Ms. Presler-Jur answered that in many cases, these kits are from agencies that have little to no experience with investigating sexual assaults. So, RTI can offer trainings to those agencies and provide them with the knowledge and ability to further investigate these cases. It is especially important to train agencies on trauma-informed approaches so that they can better understand victims of sexual assault.

Mr. Capogrossi added that it is vitally important for smaller agencies to collaborate with larger agencies so that they can share resources and expertise.

Ms. Manning pointed out that not all of the cases are cold cases. Many have been tried, and in many cases the perpetrators are known. So, we need to make sure we understand that many of these cases are closed- they are not cold cases.

Mr. Capogrossi asked, how many of the 891 cases have been resolved?

Mr. Kelly responded that approximately 190 were cleared by arrest, 410 were cleared by exceptional means, and 290 are unsolved.

Ms. Lal-Paterson remarked that we need to make sure that the victim service organizations are made aware of test results, even if they are not in CODIS.

Lauren Vella, of the Delaware House of Representatives, asked what is the initial plan for sending kits for testing?

Mr. Kervick answered that we first need BJA to certify the inventory. And for the testing, we have a contract signed with Bode. We are not sure how many kits we will send in our first shipment. For our grant, we are permitted to use up to 50% of the funds for kit testing. We are not sure how far that funding will go. After we send out our first batch of kits, we will reassess.

Ms. Vella asked, what are the years of the kits?

Mr. Kelly responded that the earliest kit is from 1985. And the latest possible date for a kit, under the grant's requirements, is April 30, 2015.

Mr. Kelly added that the next Multi-Disciplinary Group meeting will take place quarterly or as needed. We will send out a notification to the members.

No additional business.

The meeting adjourned at 2:25pm.